

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 21-cr-108(PAM/TNL)

Plaintiff,

MEMORANDUM IN SUPPORT
OF RULE 403 MOTION TO EXCLUDE

v.

Thomas Lane,

Defendant.

The Government provided defense counsel with two thumb drives containing its exhibits. The listed exhibits contained in the motion are repetitive and cumulative evidence of the actual body worn cameras, surveillance cameras, and cell phone cameras. In addition to the live testimony of Darnella Frazier, Genevieve Hanson, Alyssa Funari and Donald Williams their videos will be played. The cumulative nature and unfair prejudice of the combination videos and numerous still photos of the videos is clearly a violation of Rule 403. The substantial prejudice is overwhelming. Thomas Lane was not able to view the incident from all of the cameras used to video it. Nor was he able to hear all of what was said by the spectators and video players

Next the 911 calls, exhibits 41, 42 of Donald Williams and Genevieve Hanson are hearsay and riddled with their own opinions. Both of these individuals were aware of the police and ambulance on the scene so their calls certainly weren't emergency calls.

Dated this 19th day of January, 2022.

Respectfully submitted,

s/Earl P. Gray
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